

Docket No.: ZIN-002  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Richard V. Penty et al.

Application No.: 10/584,392

Confirmation No.: 9031

I.A. Filing Date: December 17, 2004

Art Unit: 2874

For: MULTISERVICE OPTICAL COMMUNICATION

Examiner: Not Yet Assigned

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**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

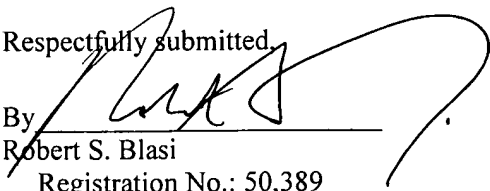
Dear Sir:

In response to the Notification of Missing Requirements mailed February 5, 2007, Applicant respectfully submits a Combined Declaration and Power of Attorney and a copy of the Notice.

Our check in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16(f) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 07-1700, under Order No. ZIN-002.

Dated: February 20, 2007

Respectfully submitted,

By   
Robert S. Blasi

Registration No.: 50,389  
GOODWIN PROCTER LLP  
Exchange Place  
Boston, Massachusetts 02109  
(617) 570-1000  
Attorney for Applicant



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/584,392	RICHARD PENTRY	ZIN-002

INTERNATIONAL APPLICATION NO.
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PCT/GB04/05287

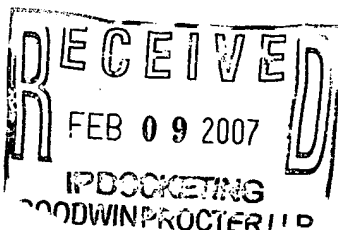
I.A. FILING DATE	PRIORITY DATE
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12/17/2004

12/23/2003

51414

GOODWIN PROCTER LLP  
 PATENT ADMINISTRATOR  
 EXCHANGE PLACE  
 BOSTON, MA 02109-2881



CONFIRMATION NO. 9031

371 FORMALITIES LETTER



\*OC000000022312002\*

Date Mailed: 02/05/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/23/2006
- Copy of the International Search Report filed on 06/23/2006
- Preliminary Amendments filed on 06/23/2006
- Information Disclosure Statements filed on 06/23/2006
- U.S. Basic National Fees filed on 06/23/2006
- Priority Documents filed on 06/23/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/584,392	PCT/GB04/05287	ZIN-002

Application No. (if known): 10/584,392-Conf.# 9031

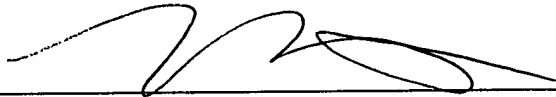
Attorney Docket No.: ZIN-002

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on February 20, 2007  
Date



Signature

Mary Hutchinson

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617)570-8280  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (1 page)  
Copy of Combined Declaration and Power of Attorney (3 pages)  
Response to Notification of Missing Requirements (1 page)  
Transmittal Form (1 page)  
Copy of Notification of Missing Requirements (2 pages)  
Check in the amount of \$130.00

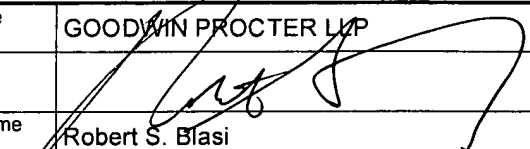
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1>TRANSMITTAL FORM</h1> <p><i>(to be used for all correspondence after initial filing)</i></p>		Application Number	10/584,392-Conf.# 9031
		I.A. Filing Date	December 17, 2004
		First Named Inventor	Richard V. Penty
		Art Unit	2874
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	9	Attorney Docket Number	ZIN-002

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> <b>Fee Transmittal Form (1 page)</b>  <input checked="" type="checkbox"/> <b>Fee Attached – check in the amount of \$130.00</b>  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input checked="" type="checkbox"/> <b>Response to Notification of Missing Requirements (1 page)</b>  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> <b>Other Enclosure(s) (please identify below):</b> -Copy of Notification of Missing Requirements (2 pages) -Copy of Combined Declaration and Power of Attorney (3 pages) -Return Receipt Postcard -Certificate of First Class Mailing (1 page)
<div style="border: 1px solid black; padding: 5px; min-height: 80px;">         Remarks       </div>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	GOODWIN PROCTER LLP		
Signature			
Printed name	Robert S. Blasi		
Date	February 20, 2007	Reg. No.	50,389

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b> Application Number 10/584,392-Conf.# 9031 I.A. Filing Date December 17, 2004 First Named Inventor Richard V. Penty Examiner Name Not Yet Assigned Art Unit 2874 Attorney Docket No. ZIN-002	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> 130.00		

**METHOD OF PAYMENT** (check all that apply)

☒ Check    ☐ Credit Card    ☐ Money Order    ☐ None    ☐ Other (please identify): \_\_\_\_\_

☐ Deposit Account    Deposit Account Number: 07-1700    Deposit Account Name: Goodwin Procter LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below    ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17    ☒ Credit any overpayments

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
HP = highest number of total claims paid for, if greater than 20.						
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>			
HP = highest number of independent claims paid for, if greater than 3.						

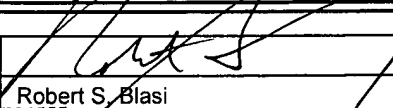
**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50	(round up to a whole number) x		

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 1051 Surcharge-Late oath or declaration	130.00

<b>SUBMITTED BY</b>		Registration No. 50,389	Telephone (617) 570-1408
Signature		(Attorney/Agent)	
Name (Print/Type)	Robert S. Blasi	Date	February 20, 2007

02/23/2007 MKAYPAH 00000136 10504392

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130.00 OP